

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

U.S. TRUST COMPANY, N.A.
Plaintiff(s)

V.

KARL P. FAGANS ET AL
Defendant(s)

CIVIL ACTION

NO. 05-CV-10013-WGY

**REPORT RE: REFERENCE FOR
ALTERNATIVE DISPUTE RESOLUTION**

TO JUDGE WILLIAM G. YOUNG

[X] Having been notified that this case has settled with respect to one defendant and that a motion for a default judgment against the remaining defendant is pending, this Court finds that mediation is no longer necessary. Accordingly, the Court hereby returns this case to District Judge Young.

[] On _____ I held the following ADR proceeding:

_____ SCREENING CONFERENCE	_____ EARLY NEUTRAL EVALUATION
_____ MEDIATION	_____ SUMMARY BENCH / JURY TRIAL
_____ MINI-TRIAL	_____ SETTLEMENT CONFERENCE

All parties were represented by counsel [except _____]

The parties were / were not present in person or by authorized corporate officer [except _____].

The case was:

[] Settled. Your clerk should enter a _____ day order of dismissal.

[] There was progress. A further conference has been scheduled for _____ unless the case is reported settled prior to that date.

[X] Further efforts to settle this case at this time are, in my judgment, unlikely to be productive. This case should be restored to your trial list.

[] Suggested strategy to facilitate settlement:

5/11/07

DATE

/S/ JOYCE LONDON ALEXANDER

ADR Provider

(ADR Report.wpd - 4/12/2000)

[adrpt.]